

PATENT

REMARKS

Claims 1-20 are pending in the present application.

In the above amendments, claims 1, 9, 11-12, and 19 have been amended. Claim 12 has been amended to correct a minor informality with the claim, i.e., its claim dependency has been changed from claim 1 to claim 11.

Claim Rejections – 35 USC § 102

Claims 1-8, 10-18 and 20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Ho (U.S. 6,314,292).

It is respectfully submitted that Ho does not teach nor suggest certain claimed features of independent claims 1 and 11 as now claimed.

In particular, it is respectfully submitted that Ho does not teach nor suggest the claimed feature, **“free of messages transmitted between said base station and a base station controller from a time after receipt of the request message by said base station and before the transmitting of the assignment message by said base station”** within the claimed context of “transmitting an assignment message” as now claimed in independent claim 1 and similarly claimed in independent claim 11. Support for the newly added claim limitation can be found, e.g., in Fig. 3 of Applicant’s drawings and its respective written description which depicts an embodiment of the present invention.

In contrast, Ho teaches in each of Figs. 2-5, that a BTS (“base station”) exchanges multiple messages with a BSC (“base station controller”) after receipt of a channel request message 50 by the base station and before transmission of the immediate assignment message 52 by the base station. The multiple messages include for example in Fig. 2, a channel required message, a channel activate message, a channel activate ACK message, and an immediate assignment message.

Therefore, it is respectfully submitted that Ho does not anticipate claims 1 and 11 within the meaning of 35 USC 102.

PATENT

Allowable Subject Matter

The Examiner's indication of allowable subject matter in dependent claims 9 and 19 is gratefully acknowledged. Accordingly, claims 9 and 19 have been rewritten as independent claims and therefore, are deemed allowable.

Attorney Docket No.: 030340

Customer No.: 23696

9

PATENT

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: September 28, 2005

By: W. Chris Kim
W. Chris Kim, Reg. No. 40, 457
(858) 651 - 6295

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5787
Facsimile: (858) 658-2502